

**MINNESOTA BOARD OF MEDICAL PRACTICE
BOARD MEETING
425 EAST RIVER ROAD
ROOM 450 OF THE
MASONIC CANCER RESEARCH BUILDING
MINNEAPOLIS, MN 55455**

JANUARY 9, 2010

The Minnesota Board of Medical Practice met on its regularly scheduled meeting date, January 9, 2010, in Room 450 of the Masonic Cancer Research Building at 425 East River Road, Minneapolis, MN 55455.

The following Board members were present for both Public and Executive Sessions, unless otherwise indicated: James Mona, D.O., President; Alfred Anderson, D.C., M.D., Vice President; Tammy McGee, MBA, Secretary; Keith Berge, M.D.; Mark A. Eggen, M.D.; Sarah L. Evenson, J.D., MBA; Jack Geller, Ph.D.; Rebecca Hafner-Fogarty, M.D. MBA; Subbarao Inampudi, M.D., FACR; Bradley Johnson, M.D.; Ernest Lampe, II, M.D.; James Langland, M.D.; Gregory Snyder, M.D., DABR; and Tracy Tomac, M.D.

PUBLIC SESSION

James Mona, D.O., President of the Board welcomed the University of Minnesota medical students to the board meeting.

The minutes of the November 14, 2009, board meeting were received and approved as circulated.

Jeanne Hoffman, Licensure Supervisor gave a presentation on the Board of Medical Practice's licensure process. A question and answer session followed.

On recommendation of the Licensure Committee, physician applicants 1 - 85 of the agenda were approved for licensure subject to the receipt of verification documents.

On recommendation of the Licensure Committee, physician applicants 86 - 87 of the agenda were approved for Emeritus registration.

On recommendation of the Acupuncture Advisory Council, acupuncturist applicants 88 - 95 of the agenda were approved for licensure subject to the receipt of verification documents.

On recommendation of the Athletic Trainer Advisory Council, athletic trainer applicants 96 – 99 of the agenda were approved for registration subject to the receipt of verification documents.

On recommendation of the Physician Assistant Advisory Council, physician assistant applicants 100 - 106 of the agenda were approved for licensure subject to the receipt of verification documents. Also, hand-out 129 was approved prior to the board meeting and 130 of the hand-out pending approval in Executive Session were approved for licensure subject to the receipt of verification documents.

On recommendation of the Respiratory Therapist Advisory Council, respiratory therapist applicants 107 - 119 were approved for licensure subject to the receipt of verification documents.

On recommendation of the Naturopathic Advisory Council, naturopathic doctor applicants 120 - 128 of the agenda were approved for licensure subject to receipt of all verification documents.

The minutes of the December 3, 2009, meeting of the Licensure Committee were received and approved as circulated.

Jack Geller, Ph.D. Board Member asked if the board is subject to any liability regarding item number four of the Licensure Committee Minutes where the applicant was denied licensure and was not given the option to withdraw their application for licensure. Kermit Fruechte, J.D., Board Attorney stated that under state law, government agencies have immunity when exercising discretion. Rebecca Hafner-Fogarty, M.D., MBA, Board Member stated that an example of a denied application for licensure is an applicant that has a revoked or suspended license in another state. Brad Johnson, M.D., Chair of the Licensure Committee stated that an applicant for licensure that did not meet Minnesota's criteria would be able to withdraw their application. Mr. Fruechte stated that a representative from the Attorney General's Office is present to offer legal council at all of the meetings conducted by the board.

A motion was made and passed unanimously to reappoint Ms. Peggy Miller, LAc as the acupuncturist member and Jay Greenberg, D.C., LAc, as the chiropractor member to the Acupuncture Advisory Council.

Robert Leach, J.D., Executive Director gave a brief history on agenda item, Federation of State Medical Boards' (FSMB) Licensure Portability Taskforce.

Mr. Leach presented the Executive Director's Report of staff activities since the last board meeting.

Dr. Hafner-Fogarty gave a brief overview of reentry programs for physicians that have been away from practice for two years or longer and want to reapply for licensure in Minnesota.

Alfred Anderson, D.C., M.D., gave an overview of the Minnesota Prescription Monitoring Program that will be in effect as of March 1, 2010. Mr. Leach stated that the Executive Director of the Pharmacy Board, Cody Wiberg and Keith Hovland, Consultant for the Pharmacy Board will do a presentation on the Minnesota Prescription Monitoring Program at the March 13, 2010, board meeting.

Dr. Hafner-Fogarty asked what the status of the Lyme disease legislation. Mr. Leach stated that the Lyme disease bill will likely be reintroduced this legislative session. Mr. Leach gave an overview of the Lyme disease bill.

Dr. Hafner-Fogarty informed the board that on January 8, 2010, the Board Officers met with Mr. Leach for his year end performance evaluation and the results will be discussed Executive Session.

Tammy McGee, MBA, former Chair of the Policy and Planning Committee filled in for Richard Auld, Ph.D., Assistant Executive Director and gave a presentation on the Board's Policy and Planning Committee. A question and answer session followed.

The board discussed educational components for board meetings in 2010. Suggestions for presentations were:

- Presentation by Richard Eisenberg, Ph.D. from Duluth who has been working with a respondent that has been directed by the Complaint Review Committee (CRC) to complete a pharmacology course. Dr. Eisenberg has been working with the respondent in developing a clinical pharmacology course. Mr. Leach stated that he will contact Dr. Eisenberg and see if he is able to provide the board with a presentation later this year. Dr. Johnson requested that the course qualify for Continuing Medical Education (CME).
- Presentation on medical record keeping in a digital age, including criteria for a complete and adequate medical record and electronic communication between healthcare professionals and patients.
- Presentation by Fred S. Apple, Ph.D., on toxicology with a focus on drugs of abuse other than alcohol. Dr. Apple gave a presentation to the board in July of 2009 on toxicology but with a focus on alcohol.
- American Society of Addiction Medicine presentation on how to beat a drug test to be presented by board member, Keith Berge, M.D.
- Presentation by Marvin D. Seppala, M.D., Chief Medical Officer at Hazelden regarding the soon to be reopened treatment program for addicted doctors and other health care professionals at Hazelden located in Center City, Minnesota.
- Presentation from one of the health care advocacy organizations, such as the Hospital Association on shared interests.
- Presentation on the future of new categories of healthcare practitioners that may be regulated by the board.
- To keep a strong liaison with the medical schools, have presentations from the Dean of the University of Minnesota and the Dean of the Mayo Medical School.

Ms. McGee asked if the presentations could be put onto the board's website as a Webinar, not only for board members but for the board's constituents. Mr. Leach responded that board staff is currently looking into Webinar technology for pain management seminars which the board is sponsoring with Drs. Eggen, Anderson and Auld in the near future. Dr. Hafner-Fogarty asked Karolyn Stirewalt, J.D., attorney for the Minnesota Medical Association if she knew of any resources that would help board staff prepare for Webinar technology.

Dr. Mona informed Board members that the annual meeting of the Federation of State Medical Boards will be held April 22 – 24, 2010, in Chicago, Illinois at the Hyatt Regency and instructed the Board on the reservation procedures. All board members present at the board meeting, with the exception of Dr. Hafner-Fogarty, Allen Rasmussen and Dr. Johnson, indicated that they will attend the annual meeting at the FSMB.

Dr. Mona stated that current board member Gregory Snyder, M.D., DABR is a member of the FSMB Nominating Committee and former board member Jon Thomas, M.D., MBA is currently serving on the FSMB Board of Directors. Dr. Mona informed the board that Dr. Thomas' one-year term is ending and he is running for reelection for a three-year term and encouraged board members to support him at the FSMB Annual meeting.

Dr. Hafner-Fogarty informed the board that Dr. Marty Crane Chair of the FSMB has assured her that he will try to arrange to have the FSMB pay for the room rental for the Woman's Networking Forum for the next five years; the Board will be responsible for the refreshments.

Dr. Hafner-Fogarty informed the board that on December 21, 2009, a letter was sent out from the FSMB with the FSMB Advisory Group on Continued Competence of Licensed Physicians Draft Report stating that there will be additional action that will take place at the FSMB House of Delegates. Dr. Hafner-Fogarty encouraged the board to discuss the Draft Report at the March 13, 2010, board meeting because the Board's Voting Delegate, Dr. Mona will be asked to vote on it. Dr. Hafner-Fogarty stated that the Draft Report is in the comment phase and asked that all board members send their comments directly to the FSMB. Dr. Mona requested that board staff send the December 21, 2009, letter and Draft Report to all board members.

A motion was made and passed unanimously to accept the following 2010 Committee Appointments:

COMPLAINT REVIEW COMMITTEES

A.

Ernest Lampe, II, MD, Chair
Keith Berge, MD
Tammy McGee, MBA

B.

*Alfred Anderson, DC, MD, Chair, until 6/30/10
*James Langland, MD, Chair, effective 7/1/10
Sara Evenson, J.D.
Greg Snyder, M.D., DABR, effective 7/1/10

LICENSURE COMMITTEE

Brad Johnson, MD, Chair
Mark Eggen, MD
Jack Geller, Ph.D.
Rebecca Hafner-Fogarty, MD, MBA/Replacement
Subbarao Inampudi, MD, FACR

POLICY AND PLANNING COMMITTEE

Tracy Tomac, MD, Chair
Robert Brown, Ph.D./Replacement
Allen Rasmussen/Replacement
Greg Snyder, MD, DABR until 7/1/10
*James Mona, DO, effective 7/1/10

HPSP PROGRAM COMMITTEE

Keith Berge, M.D.

*Effective on July 1, 2010, Dr. Anderson will assume the Chair of the Board. Dr. Langland will assume Chair of the Complaint Review Committee, and Dr. Mona will serve on the Policy and Planning Committee.

Dr. Mona informed board members that if they are interested in serving on any board committee that they are not currently serving on, to let Mr. Leach or he know and they'll try to accommodate their requests as vacancies occur in the committees they are interested in.

Mr. Leach encouraged all board members to attend the Policy and Planning Committee meetings. Mr. Leach stated that all board members should be receiving notification of the Policy and Planning Committee meetings along with the agenda and asked board members to contact board staff if they do not receive notification of the Policy and Planning Committee meetings.

Ruth Martinez, Supervisor of the Complaint Review Unit gave a presentation about the complaint review process. A question and answer session followed.

Ms. Martinez stated that because of many Complaint Review Committee membership changes, the combined Complaint Review Committee meeting that is usually held in September will be rescheduled soon. Ms. Martinez stated that at this meeting, the Committee will review survey results that the Complaint Review Unit had previously sent out.

Mr. Leach informed the board of two Corrective Action Agreements that were implemented since the last board meeting.

End of Public Session.

EXECUTIVE SESSION

The following Board members were present for both Public and Executive Sessions, unless otherwise indicated: James Mona, D.O., President; Alfred Anderson, D.C., M.D., Vice President; Tammy McGee, MBA, Secretary, Keith Berge, M.D.; Mark A. Eggen, M.D.; Sarah L. Evenson, J.D., MBA; Jack Geller, Ph.D.; Rebecca Hafner-Fogarty, M.D. MBA; Subbarao Inampudi, M.D., FACR; Bradley Johnson, M.D.; Ernest Lampe, II, M.D.; James Langland, M.D.; Gregory Snyder, M.D., DABR, and Tracy Tomac, M.D.

TIMOTHY L. LARSON, P.A.

On recommendation of the Licensure Committee, the Stipulation and Order for restricted license signed by Mr. Larson was approved.

MARC J. MYER, M.D.

On recommendation of the Complaint Review Committee, the Stipulation and Order for restricted license signed by Dr. Myer was approved. Mr. Allen Rasmussen recused.


GREGORY L. SEIFER, M.D.

On recommendation of the Complaint Review Committee, the Stipulation and Order for voluntary surrender of license signed by Dr. Seifer was approved.

EROL T. UKE, M.D.

On recommendation of the Complaint Review Committee, the Stipulation and Order for reprimand and restricted license signed by Dr. Uke was approved.

There being no further business, the meeting was adjourned.


Tammy McGee, MBA
Secretary
MN Board of Medical Practice

March 5, 2010
Date